

**REMARKS**

Group IV (Claims 17; (part of each) 32-40 and 42-46 relates to methods for determining in a plurality of proteomic mixtures the presence of active target members of a group of related proteins.

Group III (Claims 11-16; 19-26; 41; 47-52 (part of each) 38-40 and 42-46) relates to a method for determining in a proteomic mixture the presences of active target members of a group of related proteins.

Group VII (Claims 18; (part of each) 32-40 and 42-46), like group IV, relates to methods for determining in a plurality of proteomic mixtures the presence of active target members of a group of related proteins.

Thus, Groups IV and III are related in that they both relate to methods of determining the presence of active target members of a group of related proteins. Group IV relates to methods involving a plurality of proteomic mixtures, while Group III relates to methods involving a proteomic mixture. Thus, it would appear to pose no greater burden on the Examiner to search the claims of Group IV (plurality of proteomic mixtures) along with those of Group III. (a proteomic mixture).

Similarly, Groups IV and VII are related in that they both relate to methods of determining in a plurality of proteomic mixtures the presence of active target members of a group of related proteins. It would not involve any additional searching efforts on the part of the Examiner to perform a search for Group VII in addition to Group IV.

Although the Examiner alleges that the claims of each Group are independent and patentably distinct, it is submitted that it would not be a serious burden on the Examiner to examine the claims together (see MPEP 803). Although the Groups of claims are not classified in the same Class, it is submitted that it would not be a serious burden on the Examiner to examine the claims of Groups III, IV, and VII and together because the same method would be utilized to determine the presence of an active target member. In fact, since an enzyme is a species of protein, art pertaining to Group IV would necessarily need to be considered in searching Groups III and VII. As such, it is submitted that a thorough search of the claims of Groups III, Group IV and Group VII would reveal art relevant to all three Groups. Under MPEP 808.2, Applicants submit that the restriction is not proper. Accordingly, it is respectfully requested that the Examiner reconsider the restriction requirement with respect to the claims of Groups III, IV, and VII and examine the claims together.

Finally, although Applicants traverse the restriction requirement for the reasons set forth above, Applicants nevertheless elect the claims of Group IV, for examination in order to be fully responsive to the Communication.

Applicants: Cravatt et al.  
Serial No.: 09/738,954  
Filed: December 15, 2000  
Page 4

PATENT  
Attorney Docket No.: SCRIP1210-2

No fee is deemed necessary in connection with the filing of this Response to Restriction Requirement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: 9/20/02

  
Lisa A. Haile, Ph.D.  
Registration No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133  
**USPTO Customer Number 28213**